

FILED

DEC 06 2021

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OKLAHOMA

Mark C. McCartt, Clerk
U.S. DISTRICT COURT

UNITED STATES OF AMERICA,

Plaintiff,

v.

SHAWN MICHAEL FAULKNER,

Defendant.

Case No. 21-CR-434-GKF

SUPERSEDING INDICTMENT

[COUNTS ONE through FOUR: 18

U.S.C. §§ 922(g)(1) and 924(a)(2) –

Felon in Possession of a Firearm

and Ammunition;

COUNT FIVE: 18 U.S.C. §§

2252(a)(4) and 2252(b)(2) –

Possession of Child Pornography;

Forfeiture Allegation: 18 U.S.C. §

924(d) and 28 U.S.C. § 2461(c) –

Firearms Forfeiture]

THE GRAND JURY CHARGES:

COUNT ONE

[18 U.S.C. §§ 922(g)(1) and 924(a)(2)]

On or about July 21, 2021, in the Northern District of Oklahoma, the defendant,
SHAWN MICHAEL FAULKNER, knowing he had previously been convicted of
the following crimes punishable by imprisonment for terms exceeding one year:

1. Robbery in the First Degree, Case No. CF-2013-118, in the District Court of Mayes County, State of Oklahoma, on February 13, 2014;
2. Burglary in the First Degree, Case No. CF-2013-118, in the District Court of Mayes County, State of Oklahoma, on February 13, 2014; and
3. Possession of a Controlled Drug, Case No. CF-2008-4550, in the District Court of Tulsa County, State of Oklahoma, on March 30, 2009,

knowingly possessed in and affecting interstate commerce the following firearms and
ammunition:

1. A Walther, Model PPQ, .45 caliber pistol, serial number FCZ4213;
2. Ten rounds of .45 caliber ammunition;
3. A Davis Industries, Model D38, .38 Special Derringer, serial number D058630;
4. Two rounds of Federal .38 Special ammunition; and
5. A M&P, Model Shield, 9 mm caliber, serial number HLY7605.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT TWO
[18 U.S.C. §§ 922(g)(1) and 924(a)(2)]

On or about July 21, 2021, in the Northern District of Oklahoma, the defendant, **SHAWN MICHAEL FAULKNER**, knowing he had previously been convicted of the following crimes punishable by imprisonment for terms exceeding one year:

1. Robbery in the First Degree, Case No. CF-2013-118, in the District Court of Mayes County, State of Oklahoma, on February 13, 2014;
2. Burglary in the First Degree, Case No. CF-2013-118, in the District Court of Mayes County, State of Oklahoma, on February 13, 2014; and
3. Possession of a Controlled Drug, Case No. CF-2008-4550, in the District Court of Tulsa County, State of Oklahoma, on March 30, 2009,

knowingly possessed in and affecting interstate commerce the following firearms and ammunition:

1. A Smith & Wesson, Model Victory, .38 caliber revolver, serial number 2801;
2. A Taurus, Model G3, 9x19mm pistol, serial number ABD471538;
3. One round of Remington 9mm Luger ammunition;
4. Sixteen rounds of assorted caliber ammunition;
5. Thirty-eight rounds of Remington .45 Auto caliber ammunition;
6. Ten rounds of CBC .45 Auto caliber ammunition;
7. Sixteen rounds of Luger 9mm ammunition;
8. Twenty-nine rounds of 5.56mm caliber ammunition;
9. Fifteen rounds of 5.56mm caliber ammunition;
10. Sixty rounds of assorted ammunition;
11. A Ruger, Model 10/22, .22LR caliber rifle, serial number 825-91356;

12. Twenty-nine rounds of 5.56mm caliber ammunition;

13. A Kel-Tec, Model Sub2000, .22 caliber rifle, serial number FF9L85;

14. A DPMS, Model A-15, multi-caliber rifle, serial number FFH292354; and

15. A Remington, Model 1100, 12-gauge short-barrel shotgun serial, number R067028V.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT THREE
[18 U.S.C. §§ 922(g)(1) and 924(a)(2)]

On or about September 2, 2021, in the Northern District of Oklahoma, the defendant, **SHAWN MICHAEL FAULKNER**, knowing he had previously been convicted of the following crimes punishable by imprisonment for terms exceeding one year:

1. Robbery in the First Degree, Case No. CF-2013-118, in the District Court of Mayes County, State of Oklahoma, on February 13, 2014;
2. Burglary in the First Degree, Case No. CF-2013-118, in the District Court of Mayes County, State of Oklahoma, on February 13, 2014; and
3. Possession of a Controlled Drug, Case No. CF-2008-4550, in the District Court of Tulsa County, State of Oklahoma, on March 30, 2009,

knowingly possessed in and affecting interstate commerce the following firearm and ammunition:

1. A Springfield Armory, Model XDM-45, .45 ACP caliber pistol, serial number MG525924; and
2. Twelve rounds of .45 Auto caliber ammunition.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT FOUR
[18 U.S.C. §§ 922(g)(1) and 924(a)(2)]

On or about September 2, 2021, in the Northern District of Oklahoma, the defendant, **SHAWN MICHAEL FAULKNER**, knowing he had previously been convicted of the following crimes punishable by imprisonment for terms exceeding one year:

1. Robbery in the First Degree, Case No. CF-2013-118, in the District Court of Mayes County, State of Oklahoma, on February 13, 2014;
2. Burglary in the First Degree, Case No. CF-2013-118, in the District Court of Mayes County, State of Oklahoma, on February 13, 2014; and
3. Possession of a Controlled Drug, Case No. CF-2008-4550, in the District Court of Tulsa County, State of Oklahoma, on March 30, 2009,

knowingly possessed in and affecting interstate commerce the following ammunition:

1. Eighty-eight rounds of assorted ammunition; and
2. Twenty-five rounds of .45 Auto caliber ammunition.

All in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

COUNT FIVE
[18 U.S.C. §§ 2252(a)(4)(B) and 2252(b)(2)]

On or about July 21, 2021, in the Northern District of Oklahoma, the defendant, **SHAWN MICHAEL FAULKNER**, knowingly possessed, or knowingly accessed with intent to view, one or more films, video tapes, and other matter which contained any visual depiction that had been mailed and had been shipped and transported using any means and facility of interstate and foreign commerce and in or affecting interstate and foreign commerce, and which was produced using materials which had been mailed and shipped and transported, by any means including by computer, when the producing of such visual depiction involved the use of a minor engaging in sexually explicit conduct and such visual depiction was of such conduct.

All in violation of Title 18, United States Code, Sections 2252(a)(4)(B) and 2252(b)(2).

FORFEITURE ALLEGATION
[18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c)]

The allegations contained in this Superseding Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c).

Upon conviction of the offenses alleged in this Superseding Indictment, as a part of his sentence, the defendant, **SHAWN MICHAEL FAULKNER**, shall forfeit to the United States any firearm and ammunition involved in or used in the knowing commission of such offenses. The property to be forfeited includes, but is not limited to:

FIREARMS AND AMMUNITION

1. A Walther, Model PPQ, .45 caliber pistol, serial number FCZ4213;
2. A Davis Industries, Model D38, .38 Special Derringer, serial number D058630;
3. A Smith & Wesson, Model Victory, .38 caliber revolver, serial number 2801;
4. A Taurus, Model G3, 9x19mm pistol, serial number ABD471538;
5. A Ruger, Model 10/22, .22LR caliber rifle, serial number 825-91356;
6. A Kel-Tec, Model Sub2000, .22 caliber rifle, serial number FF9L85;
7. A DPMS, Model A-15, multi-caliber rifle, serial number FFH292354;
8. A Remington, Model 1100, 12-gauge short-barrel shotgun, serial number R067028V;
9. A Springfield Armory, Model XDM-45, .45 ACP caliber pistol, serial number MG525924;

10. Approximately 10 rounds of CBC .45 Auto caliber ammunition;
11. Approximately 38 rounds of Remington .45 auto caliber ammunition;
12. Approximately 47 rounds of unknown brand .45 caliber ammunition;
13. Two rounds of Federal .38 Special ammunition;
14. One round of Remington 9mm Luger ammunition;
15. Approximately 16 rounds of Luger 9mm ammunition;
16. Approximately 73 rounds of unknown brand 5.56mm caliber ammunition;
17. Approximately 164 rounds of unknown brand and caliber ammunition; and
18. Three magazines.

All pursuant to Title 18, United States Code, Section 924(d), and Title 28, United States Code, Section 2461(c).

CLINTON J. JOHNSON
Acting United States Attorney

A TRUE BILL



CHRISTOPHER KELLY
Assistant United States Attorney

/s/ Grand Jury Foreperson
Grand Jury Foreperson